Volume 2. Air Operator Certification and Fractional Ownership Application

CHAPTER 3. THE CERTIFICATION PROCESS-14 CFR PART 135

SECTION 3.   PHASE 3 – DOCUMENT COMPLIANCE

241. GENERAL. The document compliance phase is that part of the certification process when the applicant's manuals and other documents are reviewed in depth to ensure compliance with applicable regulations and conformity to safe operating practices.

> **NOTE: These documents may include paper representation of data intended for display on the airplane; for example, electronic checklists or approved flight manuals. Guidance on the use of electronic checklists is provided in Advisory Circular (AC) 120-64, "Operational Use and Modification of Electronic Checklists." Operators' use of electronic checklists should be consistent with the provisions of AC 120-64 (as amended).**

A. An important responsibility of the certification project manager (CPM) is to organize the certification team's efforts to promptly review the applicant's manuals and other documents. Two key elements useful in planning activities in the document compliance phase are the schedule of events and the compliance statement. The schedule of events determines what will be examined and when. The previously agreed upon schedule of events will determine the priority of items to be reviewed and any additional inspector support or other Federal Aviation Administration (FAA) resources that will be needed beyond the composition of the basic certification team. The document compliance phase is an intensive process and will most likely require additional resources to accomplish necessary tasks in a timely manner. The Certificate-Holding District Office (CHDO) certification team may be augmented by other FAA resources.

B. The plan for review should ensure that each of the required manuals or documents submitted by the applicant will be reviewed in accordance with procedures and criteria outlined in other volumes of this handbook. The compliance statement directs the inspector to the location in the applicant's manuals where a compliance procedure is described. The certification job aids (figures 2.3.1.3. and 2.3.1.4.) have specific references to direction and guidance

on subject matter published in this handbook.

243. REVIEW OF APPLICANT'S SUBMISSIONS. During this phase, members of the certification team evaluate and approve or accept the applicant's manuals and any other required documents. Review of the applicant's submissions should be accomplished by simultaneous reference to Title 14 of the Code of Federal Regulation (14 CFR), the compliance statement, and the appropriate manual or document. The following are examples of typical submissions from applicants during the document compliance phase. This list is not all-inclusive, and certain items may not be applicable to a particular type of operation.

- Management personnel resumes outlining proposed management qualifications and compliance histories
- General Operations Manual (GOM)
- General Maintenance Manual (GMM) (This manual may be combined with the GOM for certain 14 CFR part 135 operators.)
- Continuous airworthiness maintenance program/ manuals (as applicable)
- Weight and Balance procedures
- Training program/manual
- FAA-approved Airplane/Rotorcraft Flight Manual (AFM/RFM)
- Company aircraft operations manual (This is not required if an operator elects to use the manufacturer's approved flight manual.)
- Minimum Equipment List (MEL)
- Configuration Deviation List (CDL)
- Cockpit checklist
- Passenger briefing card
- Noise and environmental assessments
- Destination Airport Analysis Program
- Deviation requests
- Hazardous Materials (HAZMAT)/security program

- Flight Attendant (F/A) manual (as applicable)
- Flight-locating procedures
- Operations specifications (including operations, maintenance, and avionics)
- Maintenance reliability program (optional for 10 or more passengers)
- Continuous analysis and surveillance system (required only for 10 or more passengers under part 135)
- Proving/validation test plan
- Compliance statement
- Compliance with applicable bulletins

245. THE COMPLIANCE STATEMENT.

A. The compliance statement serves the following two purposes:

(1) It ensures that the applicant has adequately addressed all regulatory requirements applicable to the proposed operation.

(2) It aids the certification team in determining where the regulatory requirements have been addressed in the applicant's manuals, programs, and procedures. In evaluating the applicant's compliance statement, the certification team may find it helpful to compare (in a side-by-side manner) the regulations, the applicant's manuals, and the compliance statement. The compliance statement documents how the applicant intends to comply with each applicable regulation.

B. If the applicant's compliance statement does not serve the preceding purposes, the deficient areas will be communicated to the applicant, and a resolution shall be negotiated. Proving tests will not be conducted until the certification team is satisfied, through its review of the compliance statement and formal application package, that all regulatory requirements have been adequately addressed. The applicant's methods of compliance will be evaluated throughout the demonstration and inspection phase.

247. DOCUMENT DEFICIENCIES.
If the inspector's review reveals deficiencies in the applicant's submissions, the CPM should negotiate resolution of the deficiencies. The team should be ready to offer suggestions on how to improve the product, but avoid "writing" the applicant's manual. The certification team should remember that it is the applicant's responsibility to develop manuals and procedures that ensure safe operating practices and compliance with the rules.

248. – 268. RESERVED.

[PAGES 2-137 THROUGH 2-144 RESERVED]